



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Scott E. ANDERSEN *et al.*

Appln. No.: 09/553,094

Filed: April 18, 2000

Title: **Nucleic Acid Molecules and Other
Molecules Associated with Plants**

Art Unit: 1631

Examiner: Marjorie A. MORAN

Atty. Docket: 16517.001/38-21(15503)B

Confirmation No.: 4263

#12
PTunkett
1/22/03

**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated October 22, 2002, that resulted in Applicants having claims that have been twice or finally rejected.

Authorization to charge the official fees for this filing is given in the accompanying transmittal letter. A duplicate copy of this Notice is attached.

01/16/2003 MGBREM1 00000070 502387 09553094

01 FC:1401 320.00 CH

Respectfully submitted,

Lawrence M. Lavin, Jr.

Lawrence M. Lavin, Jr. (Reg. No. 30,768)
by David R. Marsh (Reg. No. 41,408)
by June E. Cohan (Reg. No. 43,741)

Date: January 15, 2003

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January 15, 2003

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application No. 09/553,094
Filed: April 18, 2000
Title: **Nucleic Acid Molecules and Other Molecules
Associated with Plants**
Inventors: Scott E. ANDERSEN *et al.*
Atty. Docket: 16517.001/38-21(15503)B

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (USPTO):

1. a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (in duplicate); and
2. a Return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

Applicants request that the \$320.00 fee for filing a notice of appeal be charged to Deposit Account No. 50-2387, referencing matter number 16517.001/15503B.

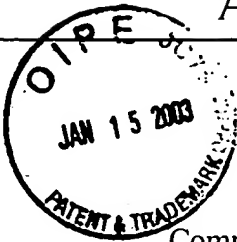
In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any additional fees under 37 C.F.R. §§ 1.16 or 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387, referencing matter number 16517.001/15503B. A duplicate copy of this letter is enclosed.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)
June E. Cohan (Reg. No. 43,741)

Attachments



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